IN THE HIGH COURT OF JUDICATURE
FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S.B. CIVIL WRIT PETITION NO.3358/2007.

Jameeta and anr.
Vs.
Jagdish Prasad and ors.

Date of order : 13/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Praveen Balwada for the petitioners.

******

BY THE COURT:-

Heard learned counsel for the petitioners.

2) Learned counsel for the petitioners has argued that the learned first court has not correctly appreciated the evidence on record, petitioner denied having taken any loan from the respondents. Even that aspect has not been correctly evaluated by that court. It was argued that respondents did not have license to act as an money lender inasmuch as, loan was alleged to have been advanced jointly by respondent No.1 Jagdish Prakash and his brother Shri Narayan and, therefore, respondents alone could not have initiated the

proceedings for recovery of the loan.

3) On perusal of the order passed by the first court, I find that the learned court has discussed these two issues in detail and has passed a considered order taking into account the documentary evidence as well as oral evidence and thereafter directed that the amount of loan shall be repaid by the petitioner in three quarterly installments of Rs.20,000/- each. This order was subsequently revised on 9/5/2007 whereby the amount of repayment was modified and it was directed that the petitioner shall pay loan amount in equal monthly installment of Rs.1000/- each.

4) Having heard learned counsel for the petitioners and perused the impugned-orders and other material forming part of the record, I do not find any illegality which may be described legal error apparent on the face of record so as to warrant interference by this Court.

The writ petition having no merit is accordingly dismissed.

(MOHAMMAD RAFIQ), J.

anil/-